



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

- PROPOSED COURT OF ARBITRAL JUSTICE, THE. *James Brown Scott*. 2 Am. J. of Int. L. 772.
- RIGHT OF STOCKHOLDERS TO NEW STOCK, THE. *Frederick Dwight*. Arguing that the doctrine sustaining the right has been extended too far. 18 Yale L. J. 101.
- RIGHTS OF A TRAVELER TO USE HERE ARTICLES MADE AND PURCHASED ABROAD BUT PATENTED HERE. *Dwight B. Cheever*. 7 Mich. L. Rev. 226.
- SOME ASPECTS OF BUSINESS BY TELEGRAM. *W. F. Chipman*. Dealing with creation of contract relations by telegram. 28 Can. L. T. & Rev. 817.
- SOME HISTORICAL MATTER CONCERNING LITERARY PROPERTY. *Edward S. Rogers*. 7 Mich. L. Rev. 101.

II. BOOK REVIEWS.

HISTORY OF THE ROMAN-DUTCH LAW. By J. W. Wessels. Grahamstown, Cape Colony: African Book Company, Limited. 1908. pp. xv, 791. 8vo.

The prevalence of Roman law in South Africa furnishes a curious and striking illustration of the far-reaching influence of ancient Rome. The law of Holland, then in large measure Roman, was carried to the Cape of Good Hope by the colonists of the seventeenth century and established itself so firmly that it continued in force after the English conquest and was in course of time officially adopted in Natal, the Transvaal, the Orange Free State, and Southern Rhodesia. As Holland had no code in the period before the loss of its African colonies, the law had for the most part to be sought in the writings of the great Dutch jurists of the seventeenth and eighteenth centuries; but in case of doubt the *Corpus Juris Civilis* was the ultimate resort, and as recently as 1901 an appeal from Natal to the Judicial Committee of the Privy Council involved the interpretation of a passage in the *Digest*. But while a certain amount of continuity is thus preserved, the Roman-Dutch law is in an isolated position. It is no longer a living force in Holland, where the new code came into force a century ago, so that it lacks such external support as the civil law in Quebec receives from France, and the forces of legal development inevitably favor English law. Not only has the English law of evidence been introduced, but the influence of English decisions, imperial legislation, and barristers with an English training, works strongly against the Dutch tradition. In many respects this state of affairs has tended to produce confusion, and Judge Wessels complains of "the heterogeneous mass of legal systems" now prevalent in South Africa and pleads for a more scientific adjustment of conflicting principles.

A body of law fed from such streams has naturally an interesting history, some knowledge of which would seem essential to a thorough understanding of present conditions, and Judge Wessels tells us that it was the general ignorance of such matters on the part of practitioners that led him to write the articles for the *South African Law Journal* which have grown into the present volume. The work falls into two parts, one dealing with the general development of Roman-Dutch law, the other treating historically the more significant topics. Such a book cannot, especially for the earlier period, be expected to rest in any considerable degree upon original investigation, and while some use has been made of modern manuals such as those of Brunner and Schröder, too much reliance is placed upon older Dutch and Belgian writers, so that many of the statements respecting the law of the Middle Ages are open to serious question. The treatment is often scrappy and does not always bring out sufficiently the most significant points. The modern portions are better, and the task as a whole was worth attempting, even if it could not be carried out with the full equipment of the scientific student of historical jurisprudence. The book should teach the lawyers of South Africa some valuable lessons concerning the long and honorable history of their legal system. C. H. H.

THE LAWS OF WAR ON LAND (WRITTEN AND UNWRITTEN). By Thomas Erskine Holland. Oxford: At the Clarendon Press. 1908. pp. viii, 149. 8vo.

The principal written laws affecting the conduct of war on land may be found in the proceedings of international conferences at St. Petersburg in 1868, at